

Amendment No. 1 to SB0931

Kelsey  
Signature of Sponsor

**AMEND Senate Bill No. 931\***

**House Bill No. 1158**

by deleting subsection (a) of the amendatory language of SECTION 1 and substituting instead the following:

(a) In any criminal proceeding, any property or material that includes a minor engaged in sexual activity or simulated sexual activity that is patently offensive shall remain in the care, custody, and control of either the state or the court.

**AND FURTHER AMEND** by deleting subsection (b) of the amendatory language of SECTION 1 and substituting instead the following:

(b)

(1) Notwithstanding Rule 16 of the Tennessee Rules of Criminal Procedure, a court shall deny, in any criminal proceeding, any request by the defendant to copy, photograph, duplicate, or otherwise reproduce any property or material that includes a minor engaged in sexual activity or simulated sexual activity that is patently offensive so long as the state makes the property or material reasonably available to the defendant.

(2) For the purposes of subdivision (b)(1), property or material shall be deemed to be reasonably available to the defendant if the state provides ample opportunity for inspection, viewing, and examination at a state facility of the property or material by the defendant, the defendant's attorney, and any individual the defendant may seek to qualify to furnish expert testimony at trial.